

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JESSE NARCISSE,

Plaintiff,

vs.

JOHN REYNOLDS, MELANIE
WHITTAMORE-MANTZIOS, and
SPENCE PROPEL,

Defendants.

8:19CV130

MEMORANDUM AND ORDER

This matter is before the court on Plaintiff's motion for the appointment of counsel. ([Filing No. 25](#).) As the court previously explained (*see* [filing no. 10 at CM/ECF p. 10](#)), the court cannot routinely appoint counsel in civil cases. In *Davis v. Scott*, 94 F.3d 444, 447 (8th Cir. 1996), the Eighth Circuit Court of Appeals explained that "[i]ndigent civil litigants do not have a constitutional or statutory right to appointed counsel." Trial courts have "broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel, taking into account the factual and legal complexity of the case, the presence or absence of conflicting testimony, and the plaintiff's ability to investigate the facts and present his claim." *Id.* Having considered these factors, the request for the appointment of counsel will be denied at this time without prejudice to reassertion.

IT IS THEREFORE ORDERED that: Plaintiff's motion for counsel ([filing no. 25](#)) is denied without prejudice to reassertion.

Dated this 23rd day of April, 2020.

BY THE COURT:

A handwritten signature in blue ink that reads "Richard G. Kopf". The signature is written in a cursive, flowing style.

Richard G. Kopf
Senior United States District Judge